

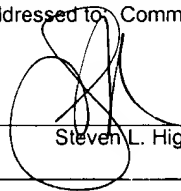
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CERTIFICATE OF MAILING
37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

December 13, 2001
Date


Steven L. Highlander

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David J. MANGELSDORF *et al.*

Group Art Unit: 1615

Serial No.: 09/460,292

Examiner: J. Woitach

Filed: December 10, 1999

Atty. Dkt. No.: UTSD:596/SLH

For: COMPOSITIONS AND METHODS OF
MODULATING CHOLESTEROL
METABOLISM

DECLARATION UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
Washington, D.C. 20231

We, the undersigned, do declare that:

1. We are authors of Peet *et al.*, *Cell* 93:693-704 (1998).
2. In reviewing the subject matter presently being examined, it has become apparent that we are properly named inventors, and thus we are being added as inventors to the above-captioned application. This error was made without deceptive intent on our part.

3. Daniel J. Peet performed the experiments that generated the LXR α -knockout mice. He also performed the experiments that demonstrated the phenotype of these mice and the unequivocal role of LXR in cholesterol metabolism.
4. Jean-Marc A. Lobarccaro conducted experiments together with Dr. Peet to demonstrate the phenotype of the LXR α -knockout ice, and to establish the role of LXR as a therapeutic target for modulating cholesterol metabolism.
5. In light of these substantial contributions, it is our opinion that both Peet and Lobaccaro contributed substantially to the rationale and design of the studies reported in the Peet *et al.* paper, and claimed in the instant application.

6. We hereby declare that all statements made herein of our knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date

Jean-Marc A. Lobaccaro, Ph.D.

Date

Daniel J. Peet, Ph.D.